

ORIGINAL

RECEIVED
DEC 6 2004

Illinois Commerce Commission
RAIL SAFETY SECTION

Completion of this form is necessary to accomplish the statutory purpose as outlined in the Illinois Public Utilities Act, Chapter 111 2/3, Sec. 9. Failure to provide the requested information may prevent your request from being processed. This form has been approved by the Forms Management Center.

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

Form 3
X-12231
T03-0103

Petition for permission to make a major change in crossing
protection, or to install new protection under 92 Illinois
Administrative Code 1535.400 (d)

Date: December 3, 2004

To the Illinois Commerce Commission:

700039⁰

The petitioner WCRY LLC shows

- (1) That it is to become a railroad company operating a line of railroad in the State of Illinois.
- (2) That petitioner proposes and hereby makes application for authority to make a major change in crossing protection, or to install new protection, under 92 Illinois Administrative Code 1535.400 (d) adopted by this Commission.
- (3) That the location of the crossing, the nature of protection now established and proposed to be established, and other pertinent facts in connection therewith, are set forth in the statement attached to and forming part of this petition.
- (4) That petitioner's reasons and purpose, with reference to its said proposal are

to provide rail service to the Hamilton County Elevator facility from a rail line served by the CSX Railroad over Illinois State Route 14.

- (5) That the facts set forth in this petition and in the statement and plans or plats attached thereto, are, all of them, true and correct to the best of petitioner's knowledge and belief.

WHEREFORE, the petitioner prays that the Commission will, if deemed desirable by the Commission, set the aforesaid matter for hearing, and that the Commission enter an order or adopt a resolution consenting to and granting authority for the making of the said proposed changes in or additions to crossing protection.

WCRY LLC

By



Roger Swartz
Manager
R. Rt. 5, Box 54
McLeansboro, IL 62859
618 924-0599

Thomas J. Wolf, Jr.
(Attorney for Petitioner)

Attorney at Law
400 Tower Square
P.O. Box 400
Marion, IL 62959
(Attorney's Address)

DOCKETED

Statement, attached to and part of an application for permission to make a major change in crossing protection or to install new protection, under 92 Ill. Adm. Code 1535.400(d).

1. Name of Railroad Company WCRY LLC
2. Crossing Number Pending application
3. Village or City Unincorporated
4. Name of Street or Highway Illinois State Route 14
5. Public Agency Maintaining Highway Illinois Department of Transportation
6. Protection now established: (Give full description. Indicate the hours of any manual protection.)
Not Applicable
7. Protection desired: (Give details)
Automatic flashing light signals mounted on cantilever arms
8. Number of main tracks _____ Other tracks Hamilton County Economic Development Commission lead track
9. Number of passenger train movements: 6 a.m. to 6 p.m. 0 6 p.m. to 6 a.m. 0
10. Number of freight train movements: 6 a.m. to 6 p.m. 0 6 p.m. to 6 a.m. 0
11. Approximate number of switch movements: (per month) 6 a.m. to 6 p.m. 1 6 p.m. to 6 a.m. 1
12. Maximum speed of trains at crossing on each track in each direction
Track 1 N/E Bound 15 mph S/W Bound 15 Mph
Track 2 N/E Bound N/A mph S/W Bound N/A Mph
Track 3 N/E Bound N/A mph S/W Bound N/A Mph
13. Passenger platforms served by tracks within the limits of track circuits, if any N/A
14. Where automatic signals or gates are proposed, approximately number of train or engine movements monthly which would cause false indications or operation 4

15. Nature and approximate amount of street or highway traffic over crossing
Mixed truck and car, 2600 ADT (provided by IDOT)
-
16. In addition to the information listed hereinbefore in Form 3, attach a track plan or plat of the proposed crossing. This plan should show:
- (a) Width and surface of highway.
 - (b) Highway intersections (including private driveways to be so indicated) and location of established highway signs or signals within 100 feet of crossing.
 - (c) Location of tracks, switches and other railroad facilities such as block signals, etc. within limits of track circuits, present and/or proposed.
 - (d) Where automatic protection is proposed, show proposed location of signals (sidelights, cantilevers, etc., if any).
 - (e) Show the length of each operation track section within the control limits of the crossing protection and its function.

ADDITIONAL INFORMATION

1 sheet 11"x17" plan/profile by Design Nine, Inc. 10/30/04

15 sheets 11"x17" plans of Highway Crossing Warning Devices by Progress Rail Services 10/20/04

VERIFICATION

I, Roger Swartz, first being duly sworn upon oath depose and say that I am a Manager of WCRY LLC, an Illinois corporation; that I have read the above and foregoing petition by me subscribed and know the contents thereof; that said contents are true in substance and in fact, except as to those matters stated upon information and belief, and as to those, I believe same to be true.



Manager